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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In Re:

KENNETH W. AND CHRISTINE L. KELLEY

Debtors.

Case No.: 10-30959

DC No.: MMG-1

MOTION FOR AN ORDER APPROVING
ABANDONMENT

DATE: June 21, 2010

TIME: 9:00 a.m.

COURTROOM 28
501 "I" STREET
SACRAMENTO, CA 95914
JUDGE: MICHAEL S. McMANUS

MOTION FOR AN ORDER APPROVING ABANDONMENT
TO THE UNITED STATES TRUSTEE, THE CHAPTER 7 TRUSTEE, AND
CREDITORS.

Debtors Kenneth W. Kelley and Christine L. Kelley seek an order compelling the
Chapter 7 Trustee to abandon the estates' interest in a construction business commonly
known as Feather River Trenching located at 1750 Hutchison Road, Yuba City, CA. The

1 business consists of the following personality: a 1999 Ford F-250, 1985 Chevy Flatbed truck,
2 1980 Towner Trencher, 1992 Bob Cat, Dump bed trailer, and hand tools.

3 The basis of this motion is that the personality mentioned above does not have any
4 equity over and above that exempted by the debtors. Pursuant to the appraisal by the debtors
5 the aforementioned personal property has a value of approximately \$8,375.00.

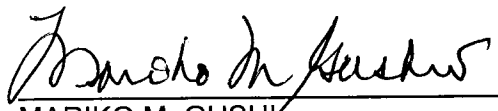
6 The debtors have the ability to exempt in excess of the value of the personality
7 pursuant to CCP 703.140 (b)(6)(1), and no administration by the trustee is contemplated.

8 The debtors are desirous to continue to operate said construction business during the
9 pendency of the bankruptcy proceeding and require an abandonment order under bankruptcy
10 rule 6007.

11 MEMORANDUM OF POINTS TAND AUTHORITIES any party of interest may request
12 an order to require the trustee to abandon estate property. Bankruptcy Code Section 554
13 merely requires a motion to be filed and notice given to all interested parties including notice to
14 the creditors. The basis of the motion must generally show that the property of the estate, or
15 that in of inconsequential value and benefit to the estate 11USC Section 554(b).

16 WHEREFORE, movant prays that the trustee in the above entitled case be required to
17 abandon said personal property and for such other and further relief as is just and proper.

18 Dated: May 10, 2010

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21 MARIKO M. GUSHI
22 Attorney for Movants
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